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**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

13 The Pinal Creek Group, et al., CIV 91-1764 PHX DAE (LOA)
14 Plaintiffs,
15 vs.
16 Newmont Mining Corp., et al.,
17 Defendants.

19 Pursuant to the Stipulation among Phelps Dodge Miami, Inc., Inspiration
20 Consolidated Copper Company, BHP Copper Inc. and CanadianOxy Offshore
21 Production Company, and for good cause appearing based on the Parties'
22 representations that they have worked diligently and in good faith to prepare this matter
23 for trial in an efficient and effective manner without delaying the Court's trial date as set
24 in the Court's original scheduling order:

1 **IT IS ORDERED** as follows:

2 1. The deadline for all pre-trial motions, including motions in limine and motions to
3 exclude or limit expert testimony, is extended from June 5, 2006 until June 23, 2006.

4 Responsive pleadings will be filed on or before August 9, 2006. Reply pleadings will be
5 filed on or before August 30, 2006 other than motions in limine to which there will be no
6 replies.

7 2. For deponents whose depositions are taken by agreement beyond May 19, 2006
8 but before June 16, 2006 all motions to exclude or limit their testimony will be filed on or
9 before June 23, 2006. Responsive pleadings will be due on or before August 9, 2006.
10 Reply pleadings will be due on or before August 30, 2006, other than motions in limine,
11 as to which there would be no replies.

12 3. For deponents whose depositions will be taken on or after June 19, 2006 motions
13 to limit or exclude their testimony must be filed no later than ten (10) business days after
14 the completion of such depositions. Responsive and reply pleadings would be filed under
15 the appropriate time deadlines set out in the local rules.

16 4. The Court has not yet scheduled a hearing or made a ruling on BHP's motion to
17 compel the production of the Golder Associate, Inc. documents which, depending on its
18 outcome, might necessitate the reopening of one or more depositions.

19 5. Motions and responses to exclude or limit the testimony of experts are enlarged in
20 length not to exceed twenty-five (25) pages excluding attachments and replies not to
21 exceed seventeen (17) pages excluding attachments.

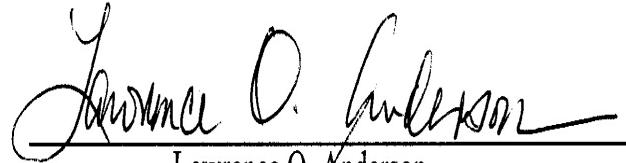
22 6. The Court will set a Pre-trial Conference at its earliest convenience after June 23,
23 2006 when all motions in limine, and most motions to limit or exclude expert testimony,
24 will have been filed.

25 7. Prior to the Court's Pre-trial Conference the Parties will meet in good faith to
26 identify and resolve pre-trial issues, including but not limited to, reducing the number of
27 exhibits and witnesses, stipulating to facts and chronologies not in dispute, identifying

1 and identifying claims and defenses and generally cooperating to improve the efficiency
2 of the trial.

3 8. Three (3) days before the Court's Pre-trial Conference the Parties will provide to the
4 Court and exchange with each other in writing the issues and disputes the Parties wish to bring
5 before the Court in the Pre-trial Conference.

6 DATED this 8th day of June, 2006.

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9 Lawrence O. Anderson
10 United States Magistrate Judge
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